

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

DOCKETED

FILED

NOV 04 2005

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

ORIGINAL

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ALFONSO GONZALEZ-
CONTRERAS, aka Poncho,

Defendant - Appellant.

No. 03-10521

D.C. No. CR-02-00026-JSU

ORDER

FILED

DISTRICT COURT OF GUAM

AUG - 9 2006

MARY L.M. MORAN
CLERK OF COURT

Before: **D.W. NELSON, KOZINSKI** and **BEA**, Circuit Judges.

The motion to recall the mandate is **DENIED**. See Calderon v. Thompson, 523 U.S. 538, 550 (1998) ("In light of the profound interests in repose attaching to the mandate of a court of appeals, . . . the power [to recall the mandate] can be exercised only in extraordinary circumstances. The sparing use of the power demonstrates it is one of last resort, to be held in reserve against grave, unforeseen contingencies.") (citation and internal quotation marks omitted).

